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Janet Stanek, Acting Secretary

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JANET STANEK
Acting Secretary of the Kansas Department of Health and Environment
And
XIMENA GARCIA
Acting State Health Officer

STANDING ORDER FOR COVID-19 TESTING

On March 13, 2020, the President of the United States pursuant to Sections 201 and 301 of the National Emergencies Act, 50 U.S.C. § 1601, et seq. and consistent with Section 1135 of the Social Security Act, as amended (42 U.S.C. § 1320b-5), declared a national emergency that the COVID-19 outbreak in the United States constitutes a national emergency beginning March 1, 2020.

A State of Disaster Emergency was proclaimed for the State of Kansas on March 12, 2020, and such emergency was extended to September 15, 2020 pursuant to Sec. 5(a) of House Bill 2016 (special session 2020) and has since been extended by the State Finance Council through October 15, 2020.

The Kansas Department of Health and Environment (KDHE) oversees public health in the State of Kansas. The Secretary of the KDHE exercises general supervision of the health of the people of the state and may take action to prevent the introduction of infectious or contagious disease into this state and to prevent the spread of infectious or contagious disease within this state. K.S.A. 65-101(a).

COVID-19 has been recognized as an infectious and contagious disease and a pandemic in the State of Kansas resulting in illnesses, quarantines, school closures and temporary closure of businesses. In an effort to prevent the spread of COVID-19 the KDHE works with health care providers and local health departments to identify persons infected with COVID-19 in an effort to stop the spread of the disease.

To contain and mitigate the COVID-19 pandemic, widespread, rapid testing is key. Rampant and efficient testing determines who has the virus and who may be at risk of transmitting the virus and allows for effective management of isolation and quarantine activities for the infected or exposed.

Therefore, pursuant to the authority vesting in me pursuant to K.S.A. 65-101, to prevent the introduction of infectious or contagious disease into this state and to prevent the spread of infectious or contagious disease within this state, a state-wide standing order for a COVID-19 test is hereby issued which would alleviate a patient from having to get an order from their health care provider.

This standing order allows individuals to undergo testing for SARSCoV-2, the virus that causes COVID-19, subject to the terms set forth below:

1. This standing order ("Order") authorizes any health care provider or other trained personnel, pursuant to their specific licensure, at a health care facility or medically supervised COVID-19 collection site in the state (collectively, "collection site") to collect and submit for laboratory analysis specimens to be tested using a SARSCoV-2 diagnostic test (antigen or PCR) for any individual in accordance with the conditions of this Order. It also authorizes the collection site that submitted the specimen for SARS-CoV-2 diagnostic testing under this Order to receive the results of the test directly from the testing laboratory. This Order further authorizes the laboratory that performed the diagnostic test for SARS-CoV-2 to provide test results directly to the individual who was tested, with the individual's consent. KDHE will not be responsible for providing test results directly to the individual who was tested or directly to their physician.

2. Individuals, irrespective of their state of permanent residence so long as the specimen collection occurs within Kansas, who obtain testing pursuant to this Order must meet the KDHE Person Under Investigation criteria:

Epidemiologic Risk (Exposure)	&	Clinical Features
Close contact [^] with a person that has laboratory-confirmed COVID-19	and	Asymptomatic [§] OR Developed one or more of the following symptoms within 14 days of last exposure: <ul style="list-style-type: none"> • fever[*] • chills • rigors • myalgia • malaise • headache • sore throat • lower respiratory illness (cough, shortness of breath, or difficulty breathing) • new olfactory and taste disorders • congestion or runny nose • nausea or vomiting • diarrhea without an alternate more likely diagnosis.
Travel to locations on the KDHE Travel Related Quarantine Table https://www.coronavirus.kdheks.gov/175/Travel-Exposure-Related-Isolation-Quaran		
No source of exposure has been identified	and	One or more of the following symptoms: <ul style="list-style-type: none"> • fever[*] • chills • rigors • myalgia • malaise • headache • sore throat • lower respiratory illness (cough, shortness of breath, or difficulty breathing) • new olfactory and taste disorders • congestion or runny nose • nausea or vomiting • diarrhea without an alternate more likely diagnosis.

[^] Being within 6 feet for a prolonged period (10 minutes or longer) or having direct contact with infectious secretions of a COVID-19 case (e.g., being coughed or sneezed on).

[§] Most people develop disease 5 to 7 days after exposure. Asymptomatic testing should be done on day 7 or later.

^{*} Measured fever of $\geq 100.4^{\circ}\text{F}$ ($\geq 38^{\circ}\text{C}$). Fever CANNOT be subjective.

3. Prior to collecting the specimen from the individual being tested, the collection sites shall provide appropriate educational information to the individual, which shall include but is not limited to the following:

- A. Written information on how and when the individual will receive test results; and
- B. Written information on next steps to take following testing, including information on how to obtain follow-up medical care, and/or to address questions about diagnosis if they test positive for COVID-19.
- C. Additionally, collection sites must provide individuals who are positive with KDHE recommendations for isolation of cases and information about contacting their county local health departments for county specific isolation requirements. Collection sites must provide individuals known to be close contacts of individuals with laboratory-confirmed COVID-19, as defined above, with written information on KDHE recommendations for quarantine of close contacts and information about contacting their county local health department for county specific quarantine requirements.

4. Collection sites may collect specimens for SARS-COV-2 diagnostic tests approved by the U.S. Food and Drug Administration ("FDA"), authorized by the FDA through an Emergency Use Authorization. Collection sites must also adhere to federal guidance outlining requirements for COVID-19 laboratory reporting. Collection sites must follow appropriate guidelines to collect a specimen:

A. Ensure correct testing materials according to manufacturer instructions and/or the laboratory that will be performing the test.

B. Ensure appropriate personal protective equipment for testing facility staff to administer the test, including gloves, gowns, N95 respirator (or surgical mask if respirator not available), and eye protection (goggles or face shield).

C. Specimens must be collected by licensed health care provider or other appropriately trained and supervised personnel. Specimens may also be collected by individuals themselves under the supervision of a licensed health care provider at the collection site.

D. Follow manufacturer-specific and/or laboratory-specific instructions for specimen collection.

E. Follow CDC guidelines for Collecting, Handling, and Testing Clinical Specimens for Persons for Coronavirus Disease 2019, as amended and supplemented.

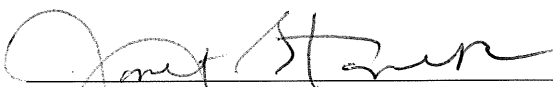
F. Ensure that laboratories conducting SARS-COV-2 diagnostic tests on the specimens being collected under this Order report test results to the testing site that collected the specimen as soon as practicable.

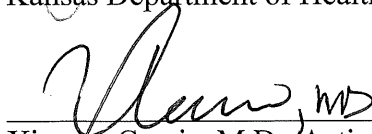
G. The collection site must furnish results to the individual as soon as possible after results are received, but no later than one business day after the collection site's receipt of the test results and provide the test result to the individual's primary care provider, if known.

H. Collect complete information on the individual consistent with KDHE guidance, including the name and contact information of the individual's primary care provider.

5. Collection sites must report positive and negative COVID-19 test results to the KDHE in a manner prescribed by the KDHE within 24 hours.

This standing order shall take effect immediately and shall remain in force and effect for the duration of the public health emergency unless otherwise modified, supplemented and/or rescinded.



Janet Stanek, Acting Secretary
Kansas Department of Health and Environment

Ximena Garcia, M.D., Acting State Health Officer
Kansas Department of Health and Environment

Dated: December ____, 2021

